



NEW YORK COUNTY  
**NYCLA**  
LAWYERS' ASSOCIATION

**FOR IMMEDIATE RELEASE**

August 11, 2011

**CONTACT**

Janice Kish, Second Circuit Court of Appeals, 212-857-8700

Luna Ngan, Southern District of New York, 212-805-6715

Anita Aboulafia, NYCLA, 212-267-6646 ext. 225

---

**First-of-Its-Kind CLE Program on Using Affidavits in Lieu of Direct Testimony at Trial  
on September 20**

The New York State–Federal Judicial Council, the Second Circuit Judicial Council and the New York County Lawyers' Association (NYCLA) are co-sponsoring a first-of-its-kind CLE program on the use of affidavits in lieu of direct testimony at (bench) trial. The program takes place on September 20 from 6:00 to 8:00 p.m. in the Ceremonial Courtroom of the Daniel Patrick Moynihan United States Courthouse at 500 Pearl Street, New York, New York, 9th Floor.

The program is free for attorneys who are admitted to practice in the State of New York; participants will receive two Professional Practice credits. Because space is limited, please register no later than September 13 on the Second Circuit Judicial Council's website, <http://ww2.ca2.uscourts.gov/cle/Login.aspx>.

The practice of substituting affidavits for direct testimony at bench trials is becoming more widespread in courtrooms across the country. NYCLA recently recommended that this practice be implemented in New York's intensely busy Family Court; it is already in place in the Commercial Division of the New York State Supreme Court and it is prevalent in federal courts. Lawyers who attend this CLE event—the first ever to discuss the use of affidavits in lieu of direct testimony—will gain valuable insight into this practice from a distinguished group of judges and practitioners.

Professor Jane Spinak of Columbia Law School will moderate. Panelists include: the Honorable Richard M. Berman, United States District Court for the Southern District of New York; the Honorable Laura E. Drager, New York State Supreme Court, Civil Branch, New York County; the Honorable Douglas E. Hoffman, New York State Family Court (Manhattan); Susan Bender, Esq., of Bender Rosenthal Isaacs & Richter LLP and past President of the Women's Bar Association of the State of New York; and John J. Kerr, Esq., of Simpson Thacher & Bartlett LLP.

Light refreshments will be served at the event.

###